

Appln No. 10/016,071

Reply to Office action of August 17, 2004

REMARKS/ARGUMENTS

The Office Action dated August 17, 2004, has been reviewed and the comments carefully considered.

In the Office action, various issues and questions are raised concerning the description of the variety. By the amendments in the accompanying Substitute Specification, Applicant has made a bona fide effort to address all issues and questions.

In view of the foregoing amendment and response, it is believed that the application is in condition for allowance and, accordingly, reconsideration and allowance is earnestly solicited.

If any questions remain regarding the allowability of the application, Applicant would appreciate if the Examiner would advise the undersigned by telephone.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By Cynthia A. Bonner

Cynthia A. Bonner

Reg. No. 44,548

626/795-9900

CAB/tt

TXN IRV1081563.1--11/16/04 3:21 PM

**SUBSTITUTE SPECIFICATION
(Marked Up Copy)**

47501/CAB/C614

HYBRID TEA ROSE PLANT NAMED 'BRONZE SUNSET'**CLASSIFICATION**

The present invention relates to a new *Rosa hybrida* plant.

VARIETY DENOMINATION

5 The new plant has the varietal denomination 'BRONZE SUNSET'.

BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct variety of rose plant of the hybrid tea rose of the genus *Rosaceae* which was created by crossing as seed and pollen parents two (2) unknown rose varieties. The varietal denomination of the new variety is 'BRONZE SUNSET'.

SUMMARY OF THE INVENTION

Among the novel characteristics possessed by this new variety which distinguishes it from other varieties of which I am aware, is its orange flowers.

Asexual reproduction by propagation by budding of the new variety onto 'Dr. Huey' rootstock as performed in Wasco, California shows that the foregoing and other distinguishing characteristics come true to form and are established and transmitted through succeeding propagations.

BRIEF DESCRIPTION OF ILLUSTRATION

The accompanying illustration shows typical specimens of the flowers and foliage of the new variety depicted in color as nearly true as it is reasonably possible to make the same in a color illustration of this character.

**SUBSTITUTE SPECIFICATION
(Marked Up Copy)**

47501/CAB/C614

DESCRIPTION OF THE NEW VARIETY

The following is a detailed description of 2-year budded plants of the new variety, with color terminology in accordance with *The Royal Horticultural Society Colour Chart* (RHSCC). The terminology used in color description herein refers to plate numbers in the aforementioned color chart. Phenotypic expression may vary with light availability, environmental and cultural conditions.

The following observations are made of specimens grown outdoors in Wasco, California, during November budded on 'DR. HUEY' understock.

PLANT

	Form:	Spreading
	Growth:	Vigorous; sprawling
15	Size:	Height about 52 inches; width about 48 inches
	Foliage	
	Size:	Terminal leaflet length about 2 1/2 inches; width about 1 9/16 inches
20	Quantity:	Usually 5 compound leaflet leaves, occasionally compound 7 leaflet leaves
	Color	
25	New foliage:	Upper side near 137B; under side near 148A
	Mature foliage:	Upper side near 139A; under side near 137B
	Texture	
30	Upper side:	Smooth, semi-glossy
	Under side:	Matte

**SUBSTITUTE SPECIFICATION
(Marked Up Copy)**

47501/CAB/C614

Edge: Serrated

Petioles: Top surface color near 138C;
Under side near 138C

Stipules: Medium length

5 Auricle: Light red brown near 59C fading
to green near 137B

Rachis: Few prickles

WOOD

New shoots

10 Bark: Smooth

Wood: Near 137C with anthocyanin blush
near 59C

Old wood

15 Bark: Lots of prickles

Wood: Near 137D

Flowering stem: Length about 18 inches

Winter Hardiness: Completely winter hardy

Preferred growing
conditions: Likes full sun

20 Growth habit: Vigorous

Leaves per stem: About 5

Prickles/Thorns: Mature wood bear large and small
prickles, average quantity;
about 1/8 inch x 1/8 inch in
size, ~~no localized location~~ with
an occasional thorn as large as
about 1/4 inch, color near 149B
slightly tipped with red at tip,
base near 59A

25

30 FLOWER/INFLORESCENCE

Blooming Habit: Recurrent

**SUBSTITUTE SPECIFICATION
(Marked Up Copy)**

47501/CAB/C614

Bud
About 1 1/4 inches long, 1 1/2 inches wide

Form: Triangular

Color: Before sepals divide color near 169A; when sepals first divide color near 170B; when petals begin to unfurl color near 41A

5

Sepals

Size: Length in relation to bud, about 1 1/4 inches in length, 1/4 inch wide, small extensions, usually 5 sepals per bloom

10

Color: Topside near 164B; bottom near 137C

15

Peduncle

Length: About 2 1/2 inches, ~~smooth~~typically with numerous small acicular appendages, slight anthocyanin in coloration, color near 57B

20

Strength: Strong

Color: Near 148C

Flower

Size: About 4 1/4 inches

25

Borne: ~~Single~~Usually single with an occasional cluster

Form: Relative good form; high centered; unfurls to loose ruffled at maturity

30

Petalage: About 25

Petaloids in

**SUBSTITUTE SPECIFICATION
(Marked Up Copy)**

47501/CAB/C614

center: None

Persistence: Petals do not drop

Fragrance: Slight

Lasting Quality: About 2 weeks on plant; about 6
5 days after cutting

Color

During first
2 days:

10 Inner petals (at flower center) topside and
underside tips near 41A; base
bottom near 19A;

Outer petals Topside and underside tips near
43A, basebottom near 16C

Base of petals

15 (Point of attachment): Near 17B

General tonality from
a distance: Bronze

Color Change: Darkens with age, color near 44C

Petals

20 Size: Length about 1 3/4 inches; width
about 1 1/2 inch

Texture: Thick, rigid

Shape: Wide at top, tapered to narrow
bottom, petals reflexed to a
25 point

Arrangement: Loose around pistils

Appearance: Satiny

REPRODUCTIVE ORGANS

Arrangement of stamens,

30 Filaments and Anthers: Near 163B; regularly arranged
around styles, about 100 anthers

**SUBSTITUTE SPECIFICATION
(Marked Up Copy)**

47501/CAB/C614

and filaments

Color: Filaments near 162C; Anthers
near 161C

Pollen: Near 168A

5 Styles: Bunched, uneven length

Stigmas: Color near 16C

Hips/Seed Vessels/Ovaries

Shape: Oval

Size: About 1/2 inch

10 Disease Resistance The cultivar exhibits average
disease resistance/
susceptability

Color: Near 143B

Seeds: No seeds

SUBSTITUTE SPECIFICATION
(Marked Up Copy)

47501/CAB/C614

I CLAIM:

A new and distinct Hybrid Tea Rose plant of the variety substantially as shown and described.

**SUBSTITUTE SPECIFICATION
(Marked Up Copy)**

47501/CAB/C614

ABSTRACT

A new and distinct Hybrid Tea Rose plant variety with orange flowers.

**SUBSTITUTE SPECIFICATION
(Clean Copy)**

47501/CAB/C614

HYBRID TEA ROSE PLANT NAMED 'BRONZE SUNSET'**CLASSIFICATION**

The present invention relates to a new *Rosa hybrida* plant.

VARIETY DENOMINATION

5 The new plant has the varietal denomination 'BRONZE SUNSET'.

BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct variety of rose plant of the hybrid tea rose of the genus *Rosaceae* which was created by crossing as seed and pollen parents two (2) unknown rose varieties. The varietal denomination of the new variety is 'BRONZE SUNSET'.

SUMMARY OF THE INVENTION

Among the novel characteristics possessed by this new variety which distinguishes it from other varieties of which I am aware, is its orange flowers.

Asexual reproduction by propagation by budding of the new variety onto 'Dr. Huey' rootstock as performed in Wasco, California shows that the foregoing and other distinguishing characteristics come true to form and are established and transmitted through succeeding propagations.

BRIEF DESCRIPTION OF ILLUSTRATION

The accompanying illustration shows typical specimens of the flowers and foliage of the new variety depicted in color as nearly true as it is reasonably possible to make the same in a color illustration of this character.

**SUBSTITUTE SPECIFICATION
(Clean Copy)**

47501/CAB/C614

DESCRIPTION OF THE NEW VARIETY

The following is a detailed description of 2-year budded plants of the new variety , with color terminology in accordance with *The Royal Horticultural Society Colour Chart* (RHSCC). The terminology used in color description herein refers to plate numbers in the aforementioned color chart. Phenotypic expression may vary with light availability, environmental and cultural conditions.

The following observations are made of specimens grown outdoors in Wasco, California, during November budded on 'DR. HUEY understock.

PLANT

Form: Spreading

Growth: Vigorous; sprawling

Size: Height about 52 inches; width about 48 inches

Foliage

Size: Terminal leaflet length about 2 1/2 inches; width about 1 9/16 inches

Quantity: Usually 5 compound leaflet leaves, occasionally compound 7 leaflet leaves

Color

New foliage: Upper side near 137B; under side near 148A

Mature foliage: Upper side near 139A; under side near 137B

Texture

Upper side: Smooth, semi-glossy

Under side: Matte

**SUBSTITUTE SPECIFICATION
(Clean Copy)**

47501/CAB/C614

	Edge:	Serrated
	Petioles:	Top surface color near 138C; Under side near 138C
	Stipules:	Medium length
5	Auricle:	Light red brown near 59C fading to green near 137B
	Rachis:	Few prickles
WOOD		
	New shoots	
10	Bark:	Smooth
	Wood:	Near 137C with anthocyanin blush near 59C
	Old wood	
	Bark:	Lots of prickles
15	Wood:	Near 137D
	Flowering stem:	Length about 18 inches
	Winter Hardiness:	Completely winter hardy
	Preferred growing conditions:	Likes full sun
20	Growth habit:	Vigorous
	Leaves per stem:	About 5
	Prickles/Thorns:	Mature wood bear large and small prickles, average quantity; about 1/8 inch x 1/8 inch in size, with an occasional thorn as large as about 1/4 inch, color near 149B slightly tipped with red at tip, base near 59A
25		
FLOWER/INFLORESCENCE		
30	Blooming Habit:	Recurrent
	Bud	About 1 1/4 inches long, 1 1/2

SUBSTITUTE SPECIFICATION
(Clean Copy)

47501/CAB/C614

		inches wide
	Form:	Triangular
	Color:	Before sepals divide color near
5		169A; when sepals first divide
		color near 170B; when petals
		begin to unfurl color near 41A
	Sepals	
	Size:	Length in relation to bud, about
10		1 1/4 inches in length, 1/4 inch
		wide, small extensions, usually
		5 sepals per bloom
	Color	Topside near 164B; bottom near
		137C
	Peduncle	
15	Length:	About 2 1/2 inches, typically
		with numerous small acicular
		appendages, slight anthocyanin
		in coloration, color near 57B
	Strength:	Strong
20	Color:	Near 148C
	Flower	
	Size:	About 4 1/4 inches
	Borne:	Usually single with an
		occasional cluster
25	Form:	Relative good form; high
		centered; unfurls to loose
		ruffled at maturity
	Petalage:	About 25
30	Petaloids in	
	center:	None
	Persistence:	Petals do not drop

**SUBSTITUTE SPECIFICATION
(Clean Copy)**

47501/CAB/C614

Fragrance: Slight

Lasting Quality: About 2 weeks on plant; about 6 days after cutting

Color

5 During first 2 days:

Inner petals (at flower center) topside and underside tips near 41A; base near 19A;

10 Outer petals Topside and underside tips near 43A, base near 16C

Base of petals
(Point of attachment): Near 17B

General tonality from a distance: Bronze

15 Color Change: Darkens with age, color near 44C

Petals

Size: Length about 1 3/4 inches; width about 1 1/2 inch

20 Texture: Thick, rigid

Shape: Wide at top, tapered to narrow bottom, petals reflexed to a point

Arrangement: Loose around pistils

25 Appearance: Satiny

REPRODUCTIVE ORGANS

Arrangement of stamens,
Filaments and Anthers: Near 163B; regularly arranged around styles, about 100 anthers and filaments

30 Color: Filaments near 162C; Anthers

**SUBSTITUTE SPECIFICATION
(Clean Copy)**

47501/CAB/C614

		near 161C
	Pollen:	Near 168A
	Styles:	Bunched, uneven length
	Stigmas:	Color near 16C
5	Hips/Seed Vessels/Ovaries	
	Shape:	Oval
	Size:	About 1/2 inch
	Disease Resistance	The cultivar exhibits average
		disease resistance/
10		susceptability
	Color:	Near 143B
	Seeds:	No seeds

**SUBSTITUTE SPECIFICATION
(Clean Copy)**

47501/CAB/C614

I CLAIM:

A new and distinct Hybrid Tea Rose plant of the variety substantially as shown and described.

**SUBSTITUTE SPECIFICATION
(Clean Copy)**

47501/CAB/C614

ABSTRACT

A new and distinct Hybrid Tea Rose plant variety with orange flowers.